

ASSEMBLY BILL

No. 980

Introduced by Assembly Member Umberg

February 18, 2005

An act to add Article 4 (commencing with Section 345) to Chapter 5 of Part 1 of Division 2 of the Military and Veterans Code, relating to the state militia.

LEGISLATIVE COUNSEL'S DIGEST

AB 980, as introduced, Umberg. California militia: disability benefits.

Existing law provides for specified benefits and compensation for any officer or enlisted member of the National Guard, the organized militia when not in the active service of the state, or the unorganized militia when called into the active service of the state.

This bill would additionally provide disability benefits to any officer or enlisted member of the National Guard, the state militia, the organized militia when not in the active service of the state, or the unorganized militia when called into the active service of the state, that is injured in combat in an amount equal to those benefits received by regular military personnel.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to ensure that
- 2 all California National Guard reservists and military personnel,
- 3 when called into active service of the state, will receive the same
- 4 military combat disability compensation that is provided to all

1 regular active military service personnel that are injured in
2 combat.

3 SEC. 2. Article 4 (commencing with Section 345) is added to
4 Chapter 5 of Part 1 of Division 2 of the Military and Veterans
5 Code, to read:

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7 Article 4. State Militia Disability Equality Act

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9 345. This article shall be known and may be cited as the State
10 Militia Disability Equality Act.

11 346. Any officer, warrant officer, or enlisted member of the
12 California National Guard, the organized militia when not in
13 active service in this state, or the unorganized militia, when
14 called into the active service of the state pursuant to Sections
15 142, 143, or 146, shall be retained on active duty and shall be
16 entitled to, and eligible for, disability benefits equal to those
17 provided to regular active officers, warrant officers, or enlisted
18 members of the California National Guard, the organized militia,
19 or the unorganized militia of the same or equivalent rank.